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Attorneys for Defendant
MERCK & CO., INC. and Defendants and Counterclaimants
MERCK SHARP & DOHME CORP. and ISIS PHARMACEUTICALS, INC.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GILEAD SCIENCES, INC.,

Plaintiff and Counterdefendant,

v.

MERCK & CO., INC. (Defendant only), MERCK
SHARP & DOHME CORP., and ISIS
PHARMACEUTICALS, INC.

Defendants and Counterclaimants.

Case No. 5:13-cv-04057-BLF

**MERCK'S REQUEST RE: RENEWED
MOTION UNDER FED. R. CIV. P. 50(a)**

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1 At the close of all the evidence and before the case is submitted to the jury, as directed by the Court,
2 Defendants Merck & Co., Inc., Merck Sharpe & Dohme Corp. and Ionis Pharmaceuticals, Inc., formerly
3 known as Isis Pharmaceuticals, Inc. (collectively, "Merck") respectfully submit this written request for
4 an opportunity to be heard at the Court's earliest convenience on a renewed motion under Fed. R. Civ. P.
5 50(a).

6
7 Dated: March 16, 2016

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16 By: /s/ Stephen S Rabinowitz

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21 PHARMACEUTICALS, INC.
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CERTIFICATE OF SERVICE

I certify that the foregoing document was provided to the Court in open court on March 16, 2016 at the close of all the evidence and before the case was submitted to the jury and was simultaneously served by hand on opposing counsel in open court.

By: /s/ Stephen S Rabinowitz

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